

**PLANNING BOARD MEETING MINUTES  
TUESDAY, JUNE 21, 2005**

**MEMBERS PRESENT:** Jeremy Daly, Chair  
Paula Caron  
Jay Cruz  
John DiPasquale  
Mike Hurley  
Nancy Maynard  
Dean Tran  
Yvette Cooks (associate member)  
Paul Fontaine, Jr. (associate member)

**PLANNING OFFICE:** Mike O'Hara

**Call to Order**

Meeting called to order at 6:00 p.m. in the Veterans' Room, First Floor, City Hall.

**Communications**

MRPC minutes, agendas rec'd.

Board selected Ms. Caron as the Board's representative to MRPC for the next year.

Comments rec'd from No. County Land Trust and Nashua R. Watershed Assoc. on Dreamtime Homes condominium project, Arn-How Farm Road which were submitted to MEPA.

**Meeting Minutes**

Motion made and seconded to approve minutes of the May 17<sup>th</sup> meeting with several corrections.  
Vote unanimous to approve.

**ANR plans**

The Board reviewed and endorsed the following "ANR" plans:

Neighborhood Development Trust, Rollstone Street

Revision of Definitive Subdivision plan -- splitting up unconstructed portion of Hazel Street (between Willard & Rollstone Streets) among several adjoining lots. All lots in development have frontage & access off either Bruce, Rollstone or Hazel Streets.

Marzullo, Rollstone Road

Splitting parcel next to 670 Rollstone Rd. into three conforming RA-1 lots.

Fandreyer/Decoteau, Ashby West Rd.

Resubdivision - Splitting off portion of 467 Ashby West Rd. to be conveyed to 455 Ashby West Rd.

Adams Construction & Realty, Ashby State Rd./ Old Northfield Rd.

Conforming 67,000 sq. ft. portion (entirely in Fitchburg) split off. Remainder 80,000 sq. ft. lot with existing dwelling on Old Northfield Rd.

**Minor Site Plan Review**

155 Lunenburg Street -- "Sophia's Party Supply". Applicant: Pedro Diaz. Building owned by Phil Rivers. Shop to be located in space next to Major's Café.

### **Other Business**

#### **"South Street Crossing" subdivision, covenant**

Board accepted a standard subdivision covenant and endorsed the definitive plan.

### **PUBLIC HEARINGS**

#### **Site Plan Review - Drs. Cabrera & Munn, Whalon St., Medical Office (cont'd from 5-17-05)**

Mark Belanger of Hannigan Engineering presented rev. plan -- driveway has been relocated to beyond the rubble strip in Whalon St.

Atty. Watts talked about paper streets. The applicant own property fronting on a private way (Pierce Ave.) and a public way (Whalon St.) the applicants have the right to pass & re-pass on the private way.

Ms. Caron: Board cannot require improvements to a private way.

Atty. Watts: to improve the private way there would have to be cooperation. One abutter on corner of Pierce is very difficult deal with. His clients have the right to improve the private way, but a ltd. right.

Public comment:

Dr. Roger Desilet, 100 Whalon St.: Entrance/exit to 100-104 Whalon is a traffic nightmare. He expressed concern about traffic in 1970s when he started the practice. There is no problem in the condominium group w/ access to the new building via Pierce Ave. A new Whalon Street access would need a signal. Dr. Korn, 100 Whalon St.: Has been there for 35 years. His issues: Improper notification, Pierce Ave. has lots of accidents & is a safety issue, drainage problem - sewer system backing up - happened for 1<sup>st</sup> time in 35 years -- needs to be looked at.

Dr. Wine, 104 Whalon St.: Pierce Ave. is very narrow street -- no room. Access to site via Whalon St. would be better situation. Lots of traffic problems caused by McD's. His major concern - what happens to Pierce Ave.

Mr. DiPasquale: suggested "No Left Turn" sign during rush hour.

Mr. Cruz: suggests referring it to authorities seek recommendation from a traffic engineer or DPW.

Mr. Fontaine: seeks recommendation from Fitchburg DPW -- what would they like to see?

Ms. Caron: Board is limited w/ Site Plan Review -- can't require applicant to pay for traffic study.

Ms. Maynard: Suggests get Police Dept's accident records.

Mr. Tran: the # trips generated by Quizno's, Eliot's etc. would be greater than the # trips to these medical offices. This would be a lesser impact than retail.

Atty. Watts: what more traffic info does Board want?

Mr. Daly: may be straw that breaks camel's back.

Dr. Cabrera (applicant): there should be about 3 cars leaving their facility per hour. They have 10 staff. Not a big impact. Leaving Whalon St. site should not be a problem. Maybe they should look in future to "Right Out Only" sign. Improvements to Pierce Ave. would take away needed parking on Pierce Ave.

Dr. Nicholas Manzoli, 100 Whalon St.: Would not want to see patients hurt in traffic.

Dr. Desilet: Doesn't like his credibility questioned.

Ms. Maynard: not against new business, but this could create more problems in area. But she is OK with revised plan. They have the right to develop land.

City should look into "Right Out Only". Wants recommendation from Police Dept.

Atty. Watts.: His clients agree to have sign "Right Out Only -- 3-6 p.m." placed so as not to impede sight distance.

Ms. Caron wants more landscaping.

Dr. Korn: asked City to look into drainage issue. Asks DPW to investigate

Public hearing continued to June 28 meeting. Notify additional abutters.

**Special Permit - Wachusett Development, West St & Sheldon St. - PUD ("Stoddart Meadows")**  
**(cont'd from 5-17-05)**

Brian Campbell of Wachusett Development had called earlier in day to request that this item be postponed. Board postponed item to July 19<sup>th</sup> meeting.

**Site Plan Review - Zichelle, Intervale Rd. (cont'd from 5-17-05)**

Chris Deloge, Whitman & Bingham presented revised plan with some drainage improvements.

Public comment:

Louse Morin, 73 Mack Rd.: what type of business?

Mike Zichelle: business is now at 118 Bemis Rd. Bldg. was sold to become part of Arden Mills condo development. They take raw steel beams and convert to steel products.

Has need behind Duck Mill Apartments for years -- no noise complaints.

Hours in new facility: 7:30 - 4:00

Access to proposed bldg. from Intervale Rd. is angled to make it easier to turn in -- intentionally makes it difficult to make right turn out (under RR underpass).

Water Dept. & Fire Dept. comments reviewed. They can be addressed.

Hearing closed.

Motion made & seconded to approve site plan subject to complying with comments of Fire & Water Depts. Vote 7-0 to approve.

**Special Permit - Farrow, 69 Bemis Rd., three-family**

No one present representing applicant, nor abutters. Deferred until later in meeting.

**Special Permit - Traditional Concepts Inc., Walnut St., "infill lot"**

Atty. Watts representing applicant submitted sketch plan with proposed grades & driveway. Driveway off Walnut St. Lot recently auctioned off by City, parcel has not been deeded to applicant yet. Water & sewer connected to Walnut St.

Public comment:

Mr. Boersma, 93 Payson St.: There was a house on lot years ago fronting on Payson St. How high would building be? Will guest parking be provided? He is in favor of this type of development.

Mr. Fontaine suggested a wider driveway to 28 feet wide. Discussion on whether driveway should be deeper, an extra 5 feet. Hearing closed.

Motion made & seconded to approve Special Permit with conditions:

Conditions:

- standard infill lot conditions
- dwelling must be connected to public water & sewer to Walnut Street
- Driveway to be min. 20 feet x 24 feet deep from property line.

Vote 7-0 to approve.

**Special Permit - BMAC Realty Trust, 100-104 Daniels St, conversion to 5-family**

Applicants Brad Pacheco & Mr. Maguire explained plans. They plan to convert building with 2 existing units into 5 units. Existing two 1-BR apts. on 2nd floor. Wants to but in 3 1-BR apts. Third floor is gutted; 3 apartments are possible. First floor will be commercial (sub shop). Person that will be running sub shop will live in one of the apts. Parking is approx. 110 feet away. They also own multifamily at 66 Highland which they completely rehabbed.

Mr. Cruz: Lots of units for that space.

Applicants willing to abide by the # of units Board decides on.

Maguire - uses McMasters as property managers.

Trash removal? For commercial space on 1<sup>st</sup> floor, they have trash receptacles out back.

Mr. Tran: Has problem w/ large scale multi-family buildings. Absentee landlords lead to problems.

Parking? 11 spaces are shown on submitted plan, but size of spaces is too small

Consensus of Board: They do not object to 4 units, rather than 5.

Mr. Hurley: it's a good fit for neighborhood

Hearing closed.

Discussion on possible conditions:

- Parking area to be paved & striped
- Keep wooden rail fence at parking entrance
- Landscape parking area.
- Min. of 8 parking spaces.
- Submit parking plan by P.E. w/ min. 8 x 18 foot spaces.
- Parcel at 140 Daniels St. (map 64-34-0) to be deed restricted to use as parking to 100-104 Daniels St. tenants only
- Subject to recommendations of Fire & Water Depts.
- Max. 4 dwelling units. Ltd. to two 2-BR units on each floor

Motion made & seconded to approve Special Permit with the above conditions.

Vote 6-1 to grant Special Permit.

Brief recess.

**Rezoning petition - four parcels on Lunenburg Street - CBD to C&A**

Atty. Watts representing applicant. Four parcels, two of which owned by petitioner, are proposed to be rezoned from CBD to C&A. Site of former Thunderbird Motel, Ron Bouchard KIA dealership, Foster Insurance office and another office building.

Atty. Watts stated that purpose of petition is to change the zoning classification to a district where automotive-related uses are permitted by right, rather than by Special Permit. He feels there is enough oversight of businesses with the licenses needed through City Council. He has sent notice of their intention to other parcels affected. No objections have been raised.

Public comment: none  
Hearing closed.

Motion made & seconded to recommend approval of rezoning petition. Vote 7-0 to approve.

**Special Permit - D.C. Fortune 501 LLC, Blossom St. & Crescent Street -- townhouses**

Present were Lisa Wong & Paul Fontaine, Sr., F.R.A, Architect Les Brown

Architect presented plan: All units will be 2 BR, 2 bath, oversized garage, "Hardy Board" siding. All ten units to be sprinklered. Units will have approx. 2,000 sq. ft.

Randy Huber, Rand Assocs.: because of ledge, not able to recharge stormwater on site. Have designed stormwater system for 25-year design storm.

Have widened access to 27 feet w/ 10-foot radius at entrance. Final plans submitted for building permit will address all comments raised by Engineering, Fire, Water, etc.

Mr. Yu: There will be condo association. He will control for 3 years and will enforce that parking and emergency access cannot be blocked. May also use 2 parking garages nearby. 3<sup>rd</sup> floor could be master BR or office space. Sale price approx. \$350K. Similar units in Winchester are selling for \$700K.

Mr. Fontaine, Sr.: City took parcel for non-payment of taxes. City sold to FRA for \$1 in return for city tearing Crescent Bldg. down. Mr. Yu's track record is 1<sup>st</sup> class.

Public comment:  
Councilor Jody Joseph: supports project.

Erika Kirby, owner of Hooligans on Blossom St. -- wants to avoid noise complaints. Was assured units were soundproofed. Doesn't want condos to have false hope of quiet in an urban area. New residents should be aware of what they're moving into -- a block away from Main Street.

Ellen DiGeronimo raised issue of capacity of storm drainage in streets. Site is historic -- site of the first meetinghouse in Fitchburg. Asked developer how they might commemorate this fact.

Architect: will restore granite retaining wall around curve of Crescent & Blossom Street. There will be 36-inch high metal decorative fencing along top of granite wall. He is interested in incorporating some marker into the historic nature of the site, for example, plaque, gazebo with photos, relief sculpture, etc.

Ms. Maynard: supports project.  
Mr. Fontaine, Jr.: suggests placing marker in wall at the corner.

Hearing closed

Motion made & seconded to recommend and approval of Special Permit.  
Vote 7-0 to approve.  
Conditions:

- O&M of stormwater systems to be incorporated into master deed
- incorporate historic nature of site into the development
- Address comments of Departments

Discussion on whether to include a condition requiring disclosure statement to put buyers on notice of the existing urban area & noise. Atty. John Rauer, representing applicant: Disclosure statement won't prevent complaints. Board decided against including as condition.

**Special Permit - Bilotta, Smith St. / Milton St - "Summerview" condominiums**

Chris Deloge presented plan. Seven units proposed. Drainage to be handled on site. Utilities will be underground. Two parking spaces per unit. They have rec'd various comments from departments. Units will be on one level w/ H/C access. Size: 1,320 sq. ft. Price level: \$225K - 250K.

Mr. Bilotta wants to stay w/ 7 units, not cut # down.

Public Comment:

Mrs. DiPietro, 53 Hancock St.: asked how close development will be to her.

Building will be 31 feet to abutters stockade fence. 1<sup>st</sup> ten feet will remain undisturbed.

Mr. O'Connell, 61 Hancock St. stated his opposition.

Mr. Heinle, 21 Clyde St. stated his opposition.

Councilor Jody Joseph: access is proposed out to Milton St. across from St. Bernard's H.S. -- a dangerous spot.

Mr. Smith, 24 Clyde St.: project would destroy neighborhood.

Tom Skoticki, 62 Hancock St.: what will effect of clearing all trees on site on photosynthesis?

John McNamara, 31 Clyde St. Woods on the site provide a buffer zone from lights from the Saturn dealership and noise from R/R and provides buffer from power lines.

Did Unitil have an agreement to keep it as a buffer? How does this proposed development improve the area? Traffic should be able to go through -- can't control access to only via Milton St.

Councilor Joseph: raised issue of whether there is a conflict of interest due to Billotta's relationship w/ Century Appraisal.

Mr. Fontaine: His father (Paul, Sr.) has had discussions w/ Bilotta. He was not present and does not know the nature of the discussions. He is not aware of what was said. He would not participate if there was a conflict.

John Neylon, 54 Clyde St.: this development would change the character of neighborhood, even at this scale.

Hearing continued to 6/28 at 6:30 p.m.

Motion made & seconded to adjourn the meeting. Vote unanimous.

Meeting adjourned: 10:30 p.m.

*Next meeting: June 28, 2005*

*Approved: July 19, 2005*